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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,146	06/24/2003	Hoyong Lee	Lee 2-1-3	9878
23307 7590 07/25/2008 SYNNESTVEDT & LECHNER, LLP 1101 MARKET STREET SUITE 2600 PHILADELPHIA, PA 19107-2950				
EXAMINER				
NUNEZ, JORDANY				
ART UNIT		PAPER NUMBER		
2175				
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07/25/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/602,146

Applicant(s)

LEE ET AL.

Examiner

Jordany Núñez

Art Unit

2175

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 July 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/William L. Bashore/
Primary Examiner, Art Unit 2175

Continuation of 11, does NOT place the application in condition for allowance because: Applicant's arguments have been fully considered but are not persuasive. Examiner reiterates that references to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention. Applicant argues that:

1) The present invention concerns a web-based graphical user interface (GUI) for provisioning hardware resources in a computer network. Page 4, lines 1-5 of the specification define the term "provisioning to refer to managing, allocating, and initializing resources for a network using some type of network management system. (page 8, last paragraph). Examiner disagrees.

Page 4, lines 1-5 of Applicant's specification states that provisioning "generally" refers to "managing [...] resources of a network." Therefore, Applicant does not define the term provisioning in the specification. Instead, Applicant gives an idea as to what the term might generally mean.

2) An object in Rajarajan is not a type of hardware. A 'user object is further defined on column 8, lines 30-32 of Rajarajan as data and information 'relating to a particular user in the network and the object may include relationship or meta information about the user' In the example relating to a user object, the information may identify attributes such as, for example, name, address, title, etc. The user object of Rajarajan does not include any data or information relating to any type of hardware (page 9, penultimate paragraph). Examiner disagrees.

Applicant seemingly dismisses some of Rajarajan's teachings. For example, while in a user object "the information may identify attributes such as, for example, name, address, title" as acknowledged by Applicant, Rajarajan clearly teaches that there are objects relating to specific hardware unit, e.g., printers, workstations, events or operations (col 8, lines 33-35). Thus, it is incorrect to assume, as Applicant does, to Rajarajan only teaches user objects when in fact Rajarajan clearly teaches hardware objects as well.

3) However, not only does Fig. 5 of Rajarajan have nothing whatsoever to do with any type of hardware resource, but the phrase allow communication between the resource itself and a separate computer system is not the same as provisioning hardware resources as recited in the claims of the present application.

Allowing communication as used in Rajarajan merely means that communication is possible between the resource and a separate computer. On the other hand, as discussed above, provisioning hardware resources refers to tasks that must be actively completed in order to set up a network such as setting- up physical links or service channels among network elements. Merely disclosing that communication is possible between a resource and a computer, as in Rajarajan, is not the same as actively provisioning hardware resources into a network as recited in the claims of the present application. Nowhere does Rajarajan disclose the actual provisioning of any hardware resources into a network, let alone displaying web-based pages that are used for such provisioning (page 12, first and second paragraphs). Examiner disagrees.

As stated above, Rajarajan clearly teaches managing hardware objects. The phrase "allow communication" between hardware resources, as one of ordinary skill in the art would understand, means to add a hardware object to a network to allow a communications between the previously unconnected hardware object and previously connected network objects. In order to connect one of more hardware resources to a network, or allow communications between unconnected and connected resource objects, it is necessary to manage said objects so that they become a single network. Thus, Rajarajan clearly teaches provisioning hardware.

4) The addition of Bocioned does not provide the missing teachings or suggestions. In fact, Bocioned is directed toward sequential task oriented processes and workflow management. Bocioned is completely silent on the idea of provisioning of hardware resources in a computer network (page 12, penultimate paragraph)

Examiner disagrees.

As stated above, it is Rajarajan that is relied upon for the teaching of provisioning of hardware resources in a computer network. Examiner notes that since Applicant does not question that Bocioned and Rajarajan may be combined, Applicant has thus acknowledged that Bocioned and Rajarajan are properly combinable.